

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Nicholas T. Peters on 19 November 2009.

The application has been amended as follows:

- (i): In Claim 39, replace the phrase "The method of claim 33" in Line 1 with the phrase "The apparatus of claim 38".
- (ii): In Claim 40, replace the phrase "The method of claim 33" in Line 1 with the phrase "The apparatus of claim 38".
- (iii): In Paragraph 3 of the Specification as amended on 14 October 2009 (Pages 3-4 of the amendment; Pages 1-3 of the original specification), delete the phrase "that is available at www dot ttpforum dot org" (Page 4 Lines 6-7 of the amendment; Page 2 Line 17 of the original specification).

***Allowable Subject Matter***

2. Claims 21-40 are allowed.

3. The following is an examiner's statement of reasons for allowance: The claims are allowable in light of Applicant's amendments and persuasive arguments. The prior art fails to disclose, either alone or in combination, all of the claimed limitations in the combinations as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Information Disclosure Statement***

4. The information disclosure statement (IDS) submitted on 14 October 2009 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Conclusion***

5. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure: PCT International Publication Number WO 02/076032 A2 to Fuehrer et al. and US Patent Application Publication Number 2004/0153682 to Fuehrer et al, which is a US National Stage application of the aforementioned PCT application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS J. CLEARY whose telephone number is (571)272-3624. The examiner can normally be reached on Monday-Thursday (7-3).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas J. Cleary/  
Primary Examiner, Art Unit 2111